



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application

Inventor(s): Terwilliger et al.
Appl. No.: 10/035,083
Confirm. No.: 3945
Filed: December 28, 2001
Title: DELIVERY SYSTEM AND METHOD
FOR INTERSTITIAL RADIATION
THERAPY

PATENT APPLICATION

Art Unit: 3736
Examiner: John P. Layck
Atty.Docket No.: WORLD-01000US1

Customer No. 23910

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUN 29 2005

OFFICE OF PETITIONS

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made, that the material is considered prior art, or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ Copies of cited U.S. patents and publications are not enclosed. Copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR §1.98(a)(2), as required.
- ☒ If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 CFR §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 CFR §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

This statement should be considered because:

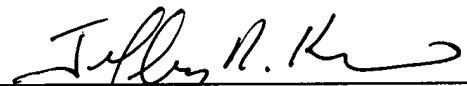
☒ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

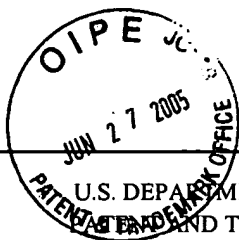
☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: June 23, 2005

By: 
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Form PTO-1449 (Substitute) Information Disclosure Statement BY APPLICANT (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number WORLD-01000US1	Serial/Patent Number 10/035,083
	Applicant/Patent Owner Terwilliger et al.		
	Filing/Issue Date December 28, 2004	Group Art Unit 3945	

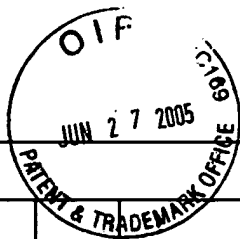
U.S. PATENTS

Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	1.	2,575,138	11/13/51	Slaughter			10/29/48
	2.	3,752,630	08/14/73	Takagi	425	325	01/05/72
	3.	4,754,745	07/05/88	Horowitz	128	1.2	07/07/86
	4.	5,022,940	06/11/91	Mehoudar	156	64	09/26/89
	5.	5,928,130	07/27/99	Schmidt	600	7	03/16/98
	6.	5,938,583	08/17/99	Grimm	600	7	12/29/97
	7.	6,010,446	01/04/00	Grimm	600	3	05/20/98
	8.	6,099,457	08/08/00	Good, Roger	600	8	08/06/91
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	10.	6,200,255 B1	03/13/01	Yu	600	1	10/30/98
	11.	6,264,600 B1	07/24/01	Grimm	600	7	10/21/99
	12.	6,273,851 B1	08/14/01	Slater et al.	600	8	05/14/99
	13.	6,327,490 B1	12/04/01	Spetz	600	427	02/26/99
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	32.	6,709,381 B2	03/23/04	Munro, III	600	3	05/31/02
	33.	6,746,661 B2	06/08/04	Kaplan	424	1.25	05/18/01
	34.	6,752,753 B1	06/22/04	Hoskins et al.	600	7	10/16/00
	35.	6,761,680	07/13/04	Terwilliger et al.	600	8	06/04/02
	36.	6,786,858 B2	09/07/04	Terwilliger et al.	600	3	04/26/02
	37.	6,820,318 B2	11/23/04	Terwilliger et al.	29	458	06/04/02
	38.	6,905,455 B2	6/14/05	Rapach et al.	600	8	5/1/03

U.S. PATENT PUBLICATIONS				
Examiner Initial		Patent Application Publication Number	Publication Date	Applicant
	39.	US2003/0084988 A1	05/08/03	Terwilliger et al.
	40.	US2003/0092958 A1	05/15/03	Terwilliger et al.
	41.	US2003/0191355 A1	10/09/03	Ferguson
	42.	US2004/0158117 A1	08/12/04	Drobnik et al.
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FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Abstract Yes No	
	44.	EP 0 466 681 B1	01/15/92	Europe	A61N	5/10	X	
	45.	EP 0 030 822 B1	09/14/83	Europe	A61L	17/00	X	
	46.	WO 00/64538	02/11/00	WIPO	A61N	5/10		
	47.	WO 00/61229	10/19/00	WIPO	A61N	5/10		
OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)								
	48.	Middleton et al., "Synthetic Biodegradable Polymers as Medical Devices", Med. Plas. Biomat. (Mar. 1998)						
	49.	http://investor.mentorcorp.com/news/20010122-32414.cfm , "Mentor Acquires Breakthrough Brachytherapy Technology" (Jan.25, 2002)						
	50.	Amersham Health; "EchoSeed™"; http://www.amershamhealth-us.com/echoseed/ printed 11/19/2003						
	51.	Amersham Health; "Rapid Strand Indications" Http://www.amershamhealth-us.com/products/index.htm?a=i&i=38 ; printed 11/19/2003						
	52.	Amersham Health; "OncoSeed™ (Iodine-125 Seeds) http://www.amershamhealth-us.com/oncoseed/ ; printed 11/19/2003						
Examiner				Date Considered				
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>*1 = Copy not submitted because it was submitted in prior application SN <u> </u> / <u> </u>, filed <u> </u>, 20<u> </u>, relied on under 35 USC §120.</p> <p>*2 = Copy not submitted because it was submitted in prior application SN <u> </u> / <u> </u>, filed <u> </u>, 20<u> </u>, relied on under 35 USC §120.</p>								